

Please note that there were two meetings held in the month of January for the USAAV Justice Committee. The first set of minutes is for the January 12th, 2000 and the second set covers the January 27th meeting. Both sets of minutes follow as you scroll down this document.

MINUTES
JUSTICE COMMITTEE MEETING
Wednesday, January 12, 2000
12:00 noon - 2:00 p.m.
State Capitol Building - Room 403

Members	Kevin Christensen, Ferris Groll, Gary Heward, Leon Jensen, John Macdonald, Don Mendrala,
Present:	Reed Richards, Ron Stallworth, Merv Taylor, Kirk Torgensen and Lamont Tyler
Proxies:	Marv Sims for Steve Davis, and Hunter Finch for Fred Van Der Veur
Members	Steve Davis, Russell Hagood, Dan Maldonado, Richard McKelvie, Vince Meister, Derek Pullan,
Excused:	Fred Van Der Veur Karen Watkins and Sherm Watkins, and Kevin Youngberg
Staff:	Mary Lou Bozich and Diane Ngatuvai
Visitors:	Bill Dinehart, Marvin Dodge and Lisa Wilkinson

Agenda Item: Welcome and Approval of Minutes

Chair Reed Richards welcomed all present. *Chief Merv Taylor made a motion to approve the minutes of the November 10, 1999 meeting. The motion was seconded by Sheriff Leon Jensen and unanimously approved.*

Agenda Item: Chair's Report

The USAAV Executive Committee will meet weekly during the Legislative Session on Fridays at noon in the CCJJ Conference Room, room 100 of the State Capitol. Mary Lou will keep the committee informed of committee hearings when bills come up in order for them to attend and provide testimony if needed. It was determined that the Justice Committee will meet again on Thursday, January 27th, from noon - 1:30 p.m., in order to review legislation.

Agenda Item: 2000 Legislative Session

Governor's Tobacco Settlement Proposal: The Governor's budget has been released with his recommendations for the tobacco settlement money. It will ultimately be up to the Legislature to determine how it will be distributed.

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Controlled Substances Amendments: This bill schedules Gamma Hydroxy butyrate (GHB) and its analogs as Schedule I controlled substances. Rohypnol will move from a Schedule IV to a Schedule I category; and Ketamine will be included in Schedule III. Don Mendrala and Kevin Christensen will be notified when the committee hearing is for this bill.

Asset Forfeiture in Drug Cases: It is hoped that USAAV and others can reach a consensus with the Legislature regarding this bill. It is still unclear what Representative Wright's input will be; he has not responded to USAAV's draft copy as yet. The entire committee will be notified when this bill comes up for the committee hearing.

Appropriations Priorities: Hunter Finch suggested that the following appropriations be given priority by the Justice Committee: 1) Drug and Tobacco Courts, 2) Pilot Drug Boards, 3) Youth Corrections Drug Treatment, and 4) DUI Enforcement and Pilot DUI Court. Merv Taylor suggested that number five be to work on School Drug Prevention Programs, and Kevin Christensen suggested the sixth priority be Tobacco Prevention, Cessation and Media. ***A motion was made by Hunter Finch to approve the six priority items. The motion was seconded by Kevin Christensen and passed unanimously.***

Standards for Illegal Drug Lab Decontamination (H.B. 162): ***There was a motion by Merv Taylor to make the companion bill to provide funding for the decontamination (\$550,000 each year for two years) a priority bill. The motion was seconded by Kevin Christensen and John Macdonald and was unanimously approved.*** It was decided that the vandalism clause, prohibiting the insurance industry from dropping coverage, will be included unless it jeopardizes the passage of the bill.

Enhanced Penalties for High Blood Alcohol Content in Drivers (H.B. 208): There was some concern regarding the ignition interlock system. It was felt that a sober individual could blow into the breathalyzer and permit the intoxicated individual to drive. There was concern as well regarding the fiscal impact to Adult Probation & Parole. The bill would require AP&P, as a condition of probation, to take the case. AP&P does not, by statute, supervise class B misdemeanor cases currently, so this will imply a significantly increased caseload. The bill does not address who will incur the costs to get the equipment installed if the offender can't. There was a question as to how the blood alcohol level of .16 or higher was determined. ***Ferris Groll made a motion to take no action at this time on H.B. 208 or H.B. 209, and to invite Representative Nora Stephens or a representative to address the committee at the next meeting to answer questions regarding the bill. The motion was seconded by Gary Heward and passed unanimously.***

Background Checks for Weapons Purchase (H.B. 161): ***Ferris Groll made a motion to support this bill***

MEETING NOTES

JUSTICE COMMITTEE MEETING

Thursday, January 27, 2000

12:00 noon - 1:30 p.m.

Room 414 - State Capitol Building

Present: Kevin Christensen, Steve Davis, Hunter Finch for Fred Van Der Veur, Ferris Groll, Russell Hagood, Gary Heward, Leon Jensen, John Macdonald, Vince Meister, Don Mendrala, Derek Pullan, Reed Richards, Ron Stallworth, Merv Taylor, Lamont Tyler, Karen and Sherm Watkins, and Kevin Youngberg

Excused: Dan Maldonado, Richard McKelvie, Kirk Torgensen and Fred Van Der Veur

Visitors: Dee Larsen, Representative Nora B. Stephens, and Connie Young

Staff: Mary Lou Emerson

Agenda Item: Welcome

Chair Reed Richards explained that this meeting was called for the purpose of determining the Justice Committee's positions on justice-related substance abuse and violence bills for the 2000 Utah Legislative General Session.

Agenda Item: Update on Proposed Legislation and Committee Positions

Representative Lamont Tyler noted changes in the fiscal note for *H.B. 162 - Standards for Illegal Drug Lab Decontamination*. Representative Tyler is trying to get *H.B. 98 - Appropriation to Illegal Drug Manufacturing and Storage Site Decontamination Fund* out of the Rules Committee so that the bills can be tracked together. *H.B. 81 - Controlled Substances Precursor Amendments* is coming out without a fiscal note. The bill exempts certain manufacturing and academic purposes that use red phosphorus.

Representative Nora Stephens gave an overview of *H.B. 208 - Enhanced Penalties for High Blood Alcohol Content in Drivers*, which was followed by discussion. *Ferris Groll made a motion to support H.B. 208. Sheriff Leon Jensen seconded the motion, which passed unanimously.* Dee Larsen outlined *1st Sub. H.B. 209 - Driving*

***S.R. 3 - Resolution Urging Television Networks to Air Violent Programs Only Late at Night:** Ron Stallworth made a motion to **hold** this piece of legislation. Merv Taylor seconded the motion, which passed unanimously.*

***S.B. 141 - Providing Tobacco to Minors:** The motion to **support** this bill passed unanimously.*

***H.B. 270 - Felony Murder Amendments:** Gary Heward made a motion to **support** the bill with the clarification of adding escape. Kevin Christensen seconded the motion which passed unanimously. In further discussion it was noted that all escapes are felonies. Kevin Youngberg made a motion that the committee **hold** this bill. John Macdonald made a substitute motion that the committee **support** the bill. Merv Taylor seconded the substitute motion. The motion passed with 13 voting in favor of supporting the bill and 4 opposed. Reed requested that Mary Lou note that the committee's concern is not with the clandestine lab issue, but with the escape provision as it relates to non-custodial offenders.*

There was a motion by Merv Taylor to send a message to Representative Patrice Arent that the USAAV Justice Committee supports her filing of a bill to address date rape drugs. The motion was seconded and passed unanimously.

Reed noted that the Executive Committee will meet every Friday during the Legislative Session, from 12:30 - 2:00 p.m. in the CCJJ Conference Room (Room 100 of the State Capitol Building), to monitor progress on bills and to take action when needed. This is an open meeting and any committee members who are interested are welcome to attend.

Agenda Item: Next Meeting

The next meeting of the Justice Committee will be held on **Thursday, April 13, 2000, from 12:00 noon - 2:00 p.m. (lunch provided), in Room 225 of the State Capitol Building.**